



Office of the



State Superintendent of Education



CHILD AND ADULT CARE FOOD PROGRAM

CIVIL RIGHTS REQUIREMENTS

Civil Rights Compliance and Enforcement - Nutrition Programs and Activities - FNS Instruction 113-1

Revised 11/8/2005

USDA's Civil Rights Goals

- ☐ Equality
- ☐ Empowerment
- ☐ Access
- ☐ Dignity

~~DISCRIMINATION~~

USDA Protected Classes

- ☐ Race
- ☐ Color
- ☐ National Origin
- ☐ Age
- ☐ Sex
- ☐ Disability

Faith & Community Based Organizations



Religion is **not** a protected class
however
religious discrimination is
not
allowed.

DC Protected Classes

- Marital status
- Personal appearance
- Sexual orientation
- Gender identity or expression
- Family responsibilities
- Familial status
- Source of income
- Place of residence or business
- Genetic information
- Matriculation
- Political affiliation

CACFP CIVIL RIGHTS REQUIREMENTS

**TRIVIA
TIME**

CACFP CIVIL RIGHTS REQUIREMENTS

TRIVIA TIME

TOPIC: CIVIL RIGHTS

WHAT IS THE NAME OF USDA'S CIVIL RIGHTS INSTRUCTION WHICH ESTABLISHED COMPLIANCE AND ENFORCEMENT AGAINST DISCRIMINATION IN NUTRITION PROGRAMS AND ACTIVITIES?

IT IS CALLED THE USDA INSTRUCTION 113-1, CIVIL RIGHTS COMPLIANCE AND ENFORCEMENT – NUTRITION PROGRAMS AND ACTIVITIES.

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TOPIC: USDA PROTECTED CLASSES

HOW MANY PROTECTED CLASSES HAS USDA ESTABLISHED FOR THE CHILD AND ADULT CARE FOOD PROGRAM?

- A) 4
- B) 6
- C) 8

B) 6 – RACE, COLOR, NATIONAL ORIGIN, SEX, AGE & DISABILITY

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TOPIC: FAITH & COMMUNITY BASED ORGANIZATIONS

ARE YOU ALLOWED TO DISCRIMINATE BASED ON RELIGION?

No

EVEN THOUGH RELIGION IS NOT CONSIDERED A PROTECTED CLASS,
USDA DOES NOT ALLOW RELIGIOUS DISCRIMINATION.

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**TRIVIA TIME WILL BE BACK
AFTER THESE MESSAGES.**

Types of Discrimination

- Unintentional

- ▣ Disparate Impact

- Intentional

- ▣ Disparate Treatment

- ▣ Reprisal/Retaliation

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CIVIL RIGHTS TRAINING
PLAYHOUSE

USDA's Discrimination Prevention Methods



ASSURANCES

=

A PROMISE THAT THE PROGRAM WILL BE
OFFERED TO ALL WITHOUT
DISCRIMINATION.

USDA's Discrimination Prevention Methods



ANNUAL TRAINING

ALL STAFF HAVE CIVIL RIGHTS RESPONSIBILITIES.

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TOPIC: ASSURANCES

WHEN AN ORGANIZATION ACCEPTS FEDERAL FUNDS, THE ORGANIZATION IS REQUIRED TO COMPLY WITH CIVIL RIGHTS IN MOST ASPECTS OF PROGRAM OPERATIONS.

TRUE OR FALSE

FALSE

THE ORGANIZATION IS REQUIRED TO COMPLY WITH CIVIL RIGHTS IN ALL ASPECTS OF PROGRAM OPERATIONS.

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TOPIC: ANNUAL TRAINING

NORMA'S HOUSE OF LOVE CDC SCHEDULED AND HELD IT'S CIVIL RIGHTS TRAINING FOR FRONTLINE STAFF ON SEPTEMBER 13TH.

ON DECEMBER 20TH A NEW TEACHER NAMED TINA BEGINS WORKING AT THE CENTER.

WHEN SHOULD TINA RECEIVE HER FIRST TRAINING ON CIVIL RIGHTS?

- A) NEXT YEAR AT THEIR ANNUAL CIVIL RIGHTS TRAINING
 - B) WHEN THE STATE AGENCY HAS TIME TO TRAIN HER
 - C) IT SHOULD BE A PART OF HER NEW STAFF MEMBER ORIENTATION
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USDA's Discrimination Prevention Methods



DATA COLLECTION & ANALYSIS

☑ RACE

☑ ETHNICITY

☑ ACTUAL COUNT

☑ ELIGIBLE POPULATION

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PUBLIC NOTIFICATION

OUTREACH & COMMUNICATION

USDA's Discrimination Prevention Methods



REASONABLE ACCOMMODATIONS

ENSURE ACCESS FOR PEOPLE WITH DISABILITIES

USDA's Discrimination Prevention Methods



LANGUAGE ASSISTANCE

SERVICES MUST BE PROVIDED,

BUT THERE IS FLEXIBILITY IN WHEN & HOW THEY ARE PROVIDED.

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TOPIC: DATA COLLECTION

VISUAL IDENTIFICATION IS THE FIRST CHOICE METHOD FOR GATHERING RACE AND ETHNICITY INFORMATION FROM YOUR PARTICIPANTS.

TRUE OR FALSE

FALSE

THE FIRST CHOICE IS WRITTEN SELF-IDENTIFICATION. THE SECOND CHOICE IS VISUAL IDENTIFICATION.

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TOPIC: REASONABLE ACCOMMODATIONS

SUBSTITUTIONS ARE REQUIRED FOR DISABLED INDIVIDUALS AND MUST BE DOCUMENTED BY A LICENSED PHYSICIAN.

TRUE OR FALSE

TRUE

AN ORGANIZATION **MUST** MAKE THE APPROPRIATE FOOD SUBSTITUTIONS IF THE INDIVIDUAL'S PHYSICIAN HAS DOCUMENTED THAT THE INDIVIDUAL IS DISABLED AND THE ACCOMMODATION DOES NOT PRESENT UNDUE FINANCIAL BURDEN.

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TOPIC: REASONABLE ACCOMMODATIONS

SUBSTITUTIONS ARE PERMITTED FOR MEDICAL OR OTHER SPECIAL DIETARY NEEDS AND MUST BE DOCUMENTED BY A MEDICAL AUTHORITY.

TRUE OR FALSE

TRUE

A MEDICAL AUTHORITY CAN DOCUMENT THAT THE INDIVIDUAL HAS SPECIAL DIETARY NEEDS AND THOSE NEEDS MAY BE ACCOMMODATED BY THE ORGANIZATION.

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TOPIC: PUBLIC NOTIFICATION

THE FOLLOWING ARE THE THREE ELEMENTS OF A PUBLIC NOTIFICATION.
WHICH ONE IS NOT ONE OF THE THREE?

- A) PROGRAM AVAILABILITY
- B) COMPLAINT INFORMATION
- C) NON-DISCRIMINATION STATEMENT
- D) DATA COLLECTION

D) DATA COLLECTION

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TOPIC: LANGUAGE ASSISTANCE

ALL STATE AGENCIES, LOCAL AGENCIES OR ORGANIZATIONS MUST TAKE REASONABLE STEPS TO PROVIDE MEANINGFUL ACCESS TO THE PROGRAM. **THIS MEANS ALL ORGANIZATIONS MUST PROVIDE THE SAME LEVEL OF LANGUAGE ASSISTANCE.**

TRUE OR FALSE

FALSE

ORGANIZATIONS MUST CONSIDER 4 FACTORS TO DETERMINE THE LEVEL OF LANGUAGE ASSISTANCE THEY MUST PROVIDE.

- 1) NUMBER & PROPORTION OF LEP PERSONS SERVED OR ENCOUNTERED IN ELIGIBLE POPULATIONS
- 2) FREQUENCY OF LEP PERSONS' CONTACT WITH THE PROGRAM
- 3) NATURE & IMPORTANCE OF YOUR PROGRAM, ACTIVITY, OR SERVICE
- 4) RESOURCES AVAILABLE AND COSTS

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USDA's

Discrimination Prevention Methods



CONFLICT RESOLUTION

POLICY & TRAINING

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Discrimination Prevention Methods



CUSTOMER SERVICE

TREAT OTHERS AS YOU
WOULD LIKE TO BE TREATED.

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TOPIC: CONFLICT RESOLUTION

HOW CAN YOU HELP TO RESOLVE CONFLICTS?

- A) FIRE STAFF MEMBERS WHO CREATE CONFLICT
- B) STAY OUT OF THE ISSUE AND LET OTHERS RESOLVE THE PROBLEM ON THEIR OWN
- C) HAVE A WRITTEN POLICY FOR DEALING WITH PROBLEM BEHAVIORS
- D) KEEP A GOOD LAWYER ON SPEED DIAL

C) HAVE A WRITTEN POLICY FOR DEALING WITH PROBLEM BEHAVIORS

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TOPIC: CUSTOMER SERVICE

WHAT IS MOST IMPORTANT TO REMEMBER ABOUT CUSTOMER SERVICE?

TREAT OTHERS AS YOU WANT TO BE TREATED.

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Discrimination Identification Methods



COMPLAINT PROCEDURES

NEVER DISCOURAGE COMPLAINT FILING OR
THE VOICING OF DISCRIMINATION ALLEGATIONS.

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COMPLIANCE REVIEWS

PRE-AWARD, POST-AWARD & SPECIAL

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RESOLUTION OF NONCOMPLIANCE

CEASE INAPPROPRIATE ACTIONS

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TOPIC: COMPLAINT PROCEDURES

WHICH STATEMENT IS CORRECT?

- A) INDIVIDUALS HAVE A RIGHT TO FILE A COMPLAINT
- B) COMPLAINTS OF DISCRIMINATION CAN BE VERBAL OR WRITTEN
- C) IF THE COMPLAINT IS VERBAL, BEFORE IT IS FORWARDED ON, AN AGENCY REPRESENTATIVE MUST CONVERT THE INFORMATION INTO A WRITTEN DOCUMENT
- D) IF THE COMPLAINT IS NOT ABOUT ONE OF THE PROTECTED CLASSES, THE COMPLAINANT SHOULD BE REFERRED TO THE PROGRAM DIVISION
- E) ALL OF THE ABOVE

E) ALL OF THE ABOVE

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TOPIC: COMPLIANCE REVIEWS

WHO CONDUCTS COMPLIANCE REVIEWS?

- A) ONLY USDA NATIONAL HEADQUARTERS
 - B) CACFP REGIONAL OFFICES, STATE AGENCIES AND LOCAL AGENCIES
 - C) ONLY STATE AGENCIES
- B) CACFP REGIONAL OFFICES REVIEW STATE AGENCIES.
STATE AGENCIES REVIEW LOCAL AGENCIES.
LOCAL AGENCIES REVIEW THEIR SITES.**

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TOPIC: RESOLUTION OF NONCOMPLIANCE

WHICH OF THE FOLLOWING ACTIONS MAY BE TAKEN TO RESOLVE NONCOMPLIANCE?

- A) ISSUING A CORRECTIVE ACTION PLAN
- B) TAKING THE ISSUE TO THE REGIONAL AND FEDERAL OFFICE OF CIVIL RIGHTS
- C) TERMINATING THE ORGANIZATION FROM THE CACFP
- D) ALL OF THE ABOVE

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QUESTIONS?

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